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Attorneys for the Plaintiffs

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

“JENNY,” “CARRIE,” “LILY,” “SARAH,”
“HENLEY,” “MAUREEN,” and “JANE
ROE” as next friend for “PIA,”

Plaintiffs,

v.

THOMAS BLAHA,

Defendant.

Case No. 2:23-cv-07051-JMA-ST

**DECLARATION OF MARGARET E.
MABIE IN SUPPORT OF PLAINTIFFS’
REQUEST FOR CERTIFICATE OF
DEFAULT PURSUANT TO FED. R. CIV.
P. 55(A)**

MARGARET E. MABIE, declares under penalty of perjury in support of Plaintiffs’ request for entry of default in a sum certain by the Clerk pursuant Fed. R. Civ Proc. 55(a), that the following is true to the best of her knowledge and belief:

1. I am counsel to Plaintiffs and as such am familiar with the file, records and pleadings in this matter.
2. The summons and complaint were filed on September 21, 2023. (ECF No. 1).
3. The summons was issued on September 25, 2023. (ECF No. 7)
4. Defendant was served with a copy of the summons and complaint on October 27, 2023, as reflected on the docket sheet by the proof of service filed on October 31, 2023. (ECF No. 11).

5. An answer to the complaint was due on November 17, 2023. (ECF No. 11).
6. By order of the Court on November 22, 2023, Defendant's time to file a response to Plaintiff's Motion for Protective Order to Proceed Under Pseudonym was extended and due no later than December 6, 2023. (ECF No. 11).
7. Defendant has not answered or otherwise moved with respect to the complaint, and the time for defendant to answer or otherwise move has not been extended further.
8. Defendant has failed to appear, plead or otherwise defend this case within the time allowed and, therefore, is now in default.
9. As alleged in the Complaint, Defendant is not a minor. (ECF No. 1, para. 18).
10. I have no information to suggest that Defendant is or has ever been deemed an incompetent person.
11. I have no information to suggest that Defendant is or ever was a military service member of the United States.
12. I have had no contact with the Defendant and the Defendant has not contacted me in any way.
13. Each of the seven plaintiffs in this case elected to seek liquidated damages from the Defendant in the amount of \$150,000 and respectfully request an award by the Clerk to each in that sum certain amount to each Plaintiff pursuant to Fed. R. Civ. Proc. 55(b)(1) and 18 U.S.C. § 2255.
14. In addition, Plaintiffs seek leave to separately move the Court to assess post-judgment interest pursuant to 28 U.S.C. § 1961, and reasonable attorneys' fees, expenses and all costs pursuant to Fed. R. Civ. Proc. 55(b)(2) and 18 U.S.C. § 2255.

WHEREFORE, Plaintiffs request that the default of Defendant Thomas Blaha be noted and a certificate of default issued in the amount of \$150,000 per Plaintiff and, further, that Plaintiffs be given leave to file their motion for post-judgment interest and reasonable attorneys' fees and costs.

Dated: January 9, 2024

Respectfully submitted,

MARSH LAW FIRM PLLC

/s/ Margaret E. Mabie
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